

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Shirley <i>et al.</i>	Confirmation No.:	9990
Appl. No.:	10/821,333	Group Art Unit:	1647
Filed:	April 9, 2004	Examiner:	Seharaseyon, Jegatheesan
For:	HSA-FREE FORMULATIONS OF INTERFERON-BETA		

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(e)

The disclaimant, Novartis Vaccines and Diagnostics, Inc., having a principal place of business at 4560 Horton Street, Emeryville, CA 94608-2916, verifies through its duly authorized representative that it is the owner of all right, title, and interest in the above-identified application, by Assignments recorded on April 1, 2002, at Reel 012772, Frame 0323, April 1, 2002, at Reel 012758, Frame 0809, and September 10, 2001, at Reel 012144, Frame 0913, and by a Certificate of Merger recorded on October 1, 2007, at Reel 019899, Frame 0387.

The disclaimant hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration date of the full statutory term of any patent granted on U.S. Application Serial No. 11/062,146, filed February 18, 2005, entitled HSA-FREE FORMULATIONS OF INTERFERON-BETA, which granted patent and application were assigned to the above-identified disclaimant by Assignments recorded on April 1, 2002, at Reel 012772, Frame 0323, April 1, 2002, at Reel 012758, Frame 0809, and September 10, 2001, at Reel 012144, Frame 0913, and by the Certificate of Merger recorded October 1, 2007, at Reel 019899, Frame 0387.

Disclaimant further agrees that any patent so granted on the above-identified application, which is the subject of this disclaimer, shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to any patent granted on U.S. Application Serial No. 11/062,146, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Nothing herein shall be construed as a disclaimer of any terminal part of any patent granted on the above-identified application which is prior to the expiration of the full statutory term of any patent granted on U.S. Application Serial No. 11/062,146, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(c), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

I, Lisa E. Alexander, represent that I am an Assistant Secretary of Novartis Vaccines and Diagnostics, Inc., and am authorized to execute this disclaimer on behalf of Novartis Vaccines and Diagnostics, Inc. I further declare that the evidentiary documents of ownership have been reviewed, and I certify that to the best of disclaimant's knowledge and belief, title is in the disclaimant seeking to take action.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NOVARTIS VACCINES AND DIAGNOSTICS, INC.

Lisa E. Alexander

By: Lisa E. Alexander
Its: Assistant Secretary

Date: March 5, 2008